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Policies and Procedures Minutes 10/24/2013

Approved 11/12/2013
Arlington School Committee

Policies & Procedures Subcommittee

Meeting Minutes

Wednesday, October 24, 2013 @ 8:00 p.m.

Attendance

Subcommittee Members: Jeff Thielman (Chair), Paul Schlichtman, Kirsi Allison-Ampe, M.D.

District Leadership: Kathleen Bodie, Ed.D. (Superintendent), Robert Spiegel, Director of Human Resources

The meeting was called to order at 8:05 p.m.

- **The minutes of the September 23, 2013 were approved. Motion by Mr. Schlichtman, second by Dr. Allison-Ampe. Approved 3-0.**
- **Policy BEDH (Public Participation at School Committee Meetings)**
 - **Motion to recommend amendments to Policy BEDH proposed by Dr. Allison-Ampe to the full School Committee. Motion by Dr. Allison-Ampe, second by Mr. Schlichtman. Approved 3-0.** The revised policy will be presented for first reading at the November 14th School Committee meeting.
- **Policy KEB discussion**
 - The subcommittee considered a recommendation from Attorney Rebecca Bryant that the subcommittee eliminate both Policy KEB and KEB-R. Attorney Bryant stated: "In many respects, the more policies a school district has, the greater the risk of liability. This risk comes not only from the discrepancies [in the policy manual] but from the potential that administrators making daily decisions in a busy school environment may simply be unaware of or fail to apply one of the many applicable policies. Further, what is otherwise within the discretion of the administrator, becomes "ministerial" in the face of existing policy, and thus increases the district's risk of liability under general principles of tort law."
 - The subcommittee felt specific language regarding public complaints about school personnel needed to be stated clearly in the policy manual because School Committee members frequently receive such complaints.
 - After discussion, the subcommittee agreed to propose the following one sentence policy revision for Policy KEB for the consideration of the full School Committee: "**Whenever a complaint about school personnel is made directly to the School Committee as a whole or to a committee member as an individual, it will be referred to the school administration for study and possible solution, provided that the School Committee may directly address complaints regarding the conduct of a Superintendent where appropriate.**"
 - **Motion by Mr. Schlichtman, second by Dr. Allison-Ampe to recommend that the full School Committee approved the revised language. Approved 3-0.**
- **Policy KEB-R**

- The subcommittee reviewed an email from Attorney Rebecca Bryant regarding language in proposed policy revision KEB-R. One point was that the word “promptly” should be substituted for the word “immediately” in the last sentence of the second paragraph of Policy KEB-R. The subcommittee accepted this recommendation.
- In addition, Dr. Allison-Ampe raised concerns about potential discrepancies in policies KEB-R and JICFB (Bullying Prevention). She noted that a procedure is designated that should be followed by a Principal following a bullying complaint. Dr. Allison-Ampe noted that JICFB has guidelines different from KEB-R about timing and notifications. Dr. Allison-Ampe said that she did not want the administration or the School Committee to be in a position where there is a grievance filed because there is a discrepancy between the two policies (ex: after complaint, guidelines in JICFB were followed, but not guidelines in KEB-R).
- Attorney Bryant said in her email that this was the type of policy discrepancy that prompted her to urge the elimination of policies KEB and KEB-R. If the subcommittee chose not to recommend elimination of these policies, she recommended adding the following language following the first paragraph of KEB-R:
 - ***Notwithstanding the procedures set forth herein, complaints relating to circumstances addressed by other specific district policies or laws, including but not limited to matters involving bullying or civil rights violations, will be processed in accordance with such policies or laws.***
- The subcommittee considered this recommendation and then reviewed the entire policy KEB-R as proposed by Attorney Bryant. Dr. Bodie, Mr. Spiegel, and Mr. Thielman felt the language proposed was cumbersome and would open the district to liability if not followed precisely.
- Dr. Allison-Ampe said she is seeking language that contains an outlined procedure for handling public complaints, but headed with "A suggested protocol is:" or "The process may vary depending on the circumstances, but a suggested protocol is." She believes the public should be aware of the process by which the district will investigate a complaint and not simply see language saying that matter will be referred to the district administration. She does not believe such limited language will give confidence to parents or others who are not happy with the actions of a teacher or administrator.
- Mr. Thielman agreed to get further input from Attorney Bryant and report back to the subcommittee at its next meeting.
- The subcommittee adopted the following motion by Mr. Schlichtman, second by Dr. Allison-Ampe: **Vote to recommend to the full School Committee that Stoneman, Chandler & Miller review the APS Policy Manual for the purpose of categorizing each policy in one of the following categories: (1) policies that can appropriately remain in effect as written, (2) policies that should be eliminated entirely, (3) policies that might remain with a few adjustments, and (4) policies that require major rewriting. Following receipt of this report, the subcommittee shall request that Stoneman, Chandler & Miller provide the School Committee with an estimate of the time and cost of adjusting or rewriting the policies identified in categories 3 and 4. Approved 3-0.**
 - Dr. Allison-Ampe said she is voting in favor of the motion so that it can be discussed by the full School Committee. She noted that Stoneman Chandler & Miller estimates the work of categorizing policies will take up to 18 hours, which will be counted against the retainer. She said the Legal Services Subcommittee was under the impression that this work was being done as part of the retainer.
 - The subcommittee did not need to discuss language for the anti-bullying plan because it is not a policy.

The meeting adjourned at 8:30 p.m.

The next meeting of the subcommittee is November 12th at 6:15 p.m.